

Florida Panther and the Information Quality Act Challenge



Public Employees for Environmental Responsibility and Andy Eller, a Service employee, filed a petition under the Information Quality Act in May 2004 raising questions about the science relied upon by the U.S. Fish and Wildlife Service in several decisions the agency made regarding the conservation of the Florida Panther. The Service responded in July 2004 and the petitioners appealed shortly thereafter.

The Service released a response to that appeal in March 2005 accepting the recommendations of a three-member panel of senior Interior Department officials that found the agency did not move quickly enough to correct some scientific information related to Florida panthers and disseminated some uncorrected documents. At the same time, the panel made clear it believed “the Service played a major role in identifying these scientific concerns and supporting their investigation” by establishing a Florida panther sub-team of the Multi-Species Ecosystem Recovery Implementation Team, and by working with the State of Florida to convene a Scientific Review Team to address questions raised about some of the research.

With the release of this updated draft recovery plan, the Service has implemented all of the actions outlined in the Service’s response to the IQA challenge.

The panel’s findings included:

- The Service did appropriately acknowledge that a discussion of panther habitat in the Multi-Species Recovery Plan was in dispute. However, because the agency allowed it to remain in circulation without a disclaimer, it violated the IQA. The panel agreed the Service’s ongoing work to address those questions is adequate, but recommended the use of a disclaimer in the meantime.
- The Service disseminated a draft Landscape Conservation Strategy prior to adequately addressing questions raised about panther telemetry, habitat use, and modeling that arose during the peer review process. Because the draft document was circulated without the appropriate disclaimer, it violated the IQA.



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- The Service did not correct the record in four biological opinions that had been issued to the Corps of Engineers when it was discovered that the biological opinions had confused the terms “Minimum Viable Population” and “Current Verified Population” of panthers.

The Service took the following actions:

- The Service added a disclaimer to the Multi-Species Recovery Plan (MSRP) regarding the use of the panther portions of that document. This month the Service is releasing an updated draft recovery plan, which will update both the panther chapter of the MSRP covering listed species in South Florida and the range-wide panther recovery plan last revised in 1995. The Service is seeking public comments on this draft plan by close of business April 3, 2006. (The 42-member Recovery Team consists of representatives from federal agencies, state wildlife agencies, county governments, universities, Indian tribes and non-government organizations and private stakeholders.)
- The Service ended dissemination of the draft Landscape Conservation Strategy and continues its work to address all peer review comments as well as recommendations made by the Scientific Review Team. The Service has completed this action.
- By the August 1, 2005, deadline, the Service reviewed several biological opinions regarding the use of Minimum Viable Population and

Current Verified Population of panthers to ensure their scientific validity. Those administrative files were updated accordingly.

- The Service also provided notification that these steps have been taken through its web sites and other venues.

These steps illustrate the Service’s continued commitment to working with partners to advance Florida panther conservation efforts aimed at recovering this remarkable species.

“Over the past 15 years, we have worked closely with the Fish and Wildlife Service to conserve Florida panther habitat and increase the panther population,” said Ken Haddad, executive director of the Florida Fish and Wildlife Conservation Commission. “As the panther’s numbers increase, it’s clear we are making progress on a complex conservation challenge, and I think that is largely because of the strong partnership we’ve forged with the Service. We are working together to secure a future for the Florida panther, and as we learn more, we’ll be even more effective.”

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